

### BOARD LEGAL OPINION/ASSIGNMENT REQUESTS<sup>1</sup>

PRIORITY	SUBJECT	DATE OF ASSIGNMENT	ATTORNEY	STATUS
1	Staff Ad Hoc Board Governance Committee	May, 2005	Mixon	First meeting was held on July 28, 2005. Meetings are continuing.
2	Quarterly update on securities litigation.	August, 2003	Mixon/Castaños	Updates are provided quarterly.
3	Pursue adoption of Board Resolutions BD-98-01 and -02, and May 1998 implementing procedures ("Prohibitions") through the Administrative Procedure Act.	September, 1998; February, 1999; October, 1999	Mixon	After the Policies and Procedures were noticed as proposed regulations (Oct. 1998), the Board asked for further legal review and fact-finding. This was completed and presented to the Board in October 1999. At that time, the Board determined to place this project "on hold," pending the outcome of the Securities and Exchange Commission's parallel rulemaking. The SEC's rulemaking was suspended on January 26, 2001, due to the departure of Chairman Levitt and anticipated appointments to the SEC.
3	Review legal issues related to potential assumption of pharmaceutical manufacture and distribution.	March, 2000	McConnell	This opinion will be prepared in conjunction with Health staff review of this potential business issue (which is not currently scheduled).

<sup>1</sup> This matrix only includes requests by the Board or its committees.

CalPERS Legal Office  
Board Assignment Tracking  
February 16, 2006

PRIORITY	SUBJECT	DATE OF ASSIGNMENT	ATTORNEY	STATUS
3	Provide legal opinion on CalPERS' options related to requiring HMOs to provide service and accept new enrollees in areas that the HMO wishes to withdraw from.	September, 2001	Mixon	This opinion has been delayed due to competing legal workload with regard to the Health program.
<b>NEW ASSIGNMENTS</b>				
1	Provide legal opinion regarding possible legal remedies for false, misleading or incomplete and misrepresented answers or information furnished by long-term care applicants.	January, 2006	Noguerola	Opinion will be provided to Board members by February 15, 2006.
<b>CLOSED ASSIGNMENTS</b>				
1	Provide legal opinion analyzing impact of collective bargaining unit opting out of CalPERS.	November, 2005	Mixon/Seabourn	Opinion provided to Board members on December 12, 2005.
1	Medicare Part D – Refer to Attorney General's Office for determination regarding implementation and distribution of employer subsidy.	November, 2005	Mixon/Astleford	Opinion request forwarded to Attorney General's Office on December 29, 2005.